



Entered on Docket  
October 07, 2011

A handwritten signature in black ink, appearing to read "R. B."

Hon. Linda B. Riegle  
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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*Attorneys for USACM Liquidating Trust*

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR  
Chapter 11

**Order Sustaining First Omnibus Objection  
Of USACM Trust To Proofs Of Claim  
Based Entirely Upon Investment In The  
Castaic Partners III Loan**

Hearing Date: September 30, 2011  
Hearing Time: 9:30 a.m.

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment In The Castaic Partners III Loan." (Castaic Partners III Loan") [DE 8846] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the Castaic Partners III Loan;  
2 and good cause appearing:

3 **IT IS ORDERED** that:

4 1. The Objection [DE 8846] is sustained; and  
5 2. The claims listed on **Exhibit A** attached are disallowed in full because those  
6 claims are based entirely upon an investment in the Castaic Partners III Loan.

7  
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10  
11 By /s/ John Hinderaker (AZ #018024)  
12 Robert M. Charles, Jr.  
13 John Hinderaker (*pro hac vice*)  
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## LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: \_\_\_\_\_

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:

LEWIS AND ROCA LLP

By: /s/ *John Hinderaker*. (AZ #018024)

Attnorneys for USACM Liquidating Trust

# # #

## USACM Trust

## Castaic Partners III Loan

## Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount Relating to the Castaic Partners III, LLC Loan	Approximate Amount Subject to Objection Because it Relates to an Investment In the Castaic Partners III, LLC Loan
10725-01764	12/13/2006	Acres Corporation PSP	Annemarie Rehberger Po Box 3651 Incline Village, NV 89450	50,000.00	50,000.00
10725-00585	10/23/2006	Bauer, Timothy & Angela	C/O Donna M Osborn Esq, Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145 And	60,000.00	60,000.00
10725-01098	11/8/2006	Carano, Marie K	5745 N. Rainbow Blvd. Las Vegas, NV 89130-1230	60,000.00	60,000.00
10725-01207-2	11/10/2006	Cohen, Allen	2780 Lakeside Dr Reno, NV 89509-4218	100,000.00	100,000.00
10725-00905	10/31/2006	Joyce E Smith Trust Dated 11/3/99	12 Starbrook Dr Henderson, NV 89052	100,411.00	100,411.00
10725-00827	10/30/2006	Keller, Peter	C/O Joyce E Smith Trustee 3080 Red Springs Dr Las Vegas, NV 89135-1548	105,750.50	105,750.50
10725-00808	10/30/2006	Kern, Francis	640 Valencia Dr Boulder City, NV 89005	50,000.00	50,000.00
10725-01591	12/8/2006	Mayo, Monroe	1060 Country Ridge Dr Sparks, NV 89434	90,000.00	90,000.00
			8635 W Sahara Ave #532 Las Vegas, NV 89117	8,700.00	8,700.00
10725-00015-2	12/6/2006	Moon Trustee Of The Decedent`S Trust, Frieda Moon	Of The Restated Moon Irrevocable Trust 2504 Callita Court Las Vegas, NV 89102	51,076.38	51,076.38
10725-02365	1/16/2007	Norma Lamb-Groves Trust Dtd 2/18/03	Norma Lamb-Groves Trustee 1355 Player CR St George, UT 84790	202,986.10	101,493.05

EXHIBIT A